

REMARKS

Claims 1-18 are pending in this application. Claims 1-18 are rejected and Claim 1 has been amended. Support for the amendment to claim 1 is based on FIGS 1B and 1C and the description set forth at pages 9 and 10 of the specification.

Applicant's response to the rejections Under 35 U.S.C. § 102

Presently, claims 1-9, 12 and 13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Norio JP Publication No. 07-045510. In response thereto, Applicants have amended claim 1 to more distinctly claim the subject matter regarded as the invention. Specifically, Applicants have amended claim 1 so as to define that forming a film whose heat-resistance temperature is higher than softening temperature of a resist pattern so as to spatially define sidewall surfaces of the resist pattern.

According to amended claim 1, the film has spatially defined sidewall surfaces of the resist pattern as heated in accordance with the heating step of claim 1. Specifically, the heating condition is (softening temperature of the film) \leq (heating temperature) $<$ (softening temperature of the resist pattern). Under the restriction of the film and the heating condition, it is possible to reflow the resist pattern without deformation of the film for example, as shown in FIGS. 1B and 1C.

On the other hand, according to Norio's invention, the water soluble resin (4), which corresponds to the film of the present invention, does not spatially define the resist (2), which corresponds to the resist pattern of the present invention, because the resin (4) itself is softened by heating, as shown in FIGS. 1(b) and 1(c). Thus, regardless of no explicit description in Norio's citation, it can be implied that the heating condition in accordance with Norio's

invention has the following relation: (softening temperature of the resin (4)) \leq (softening temperature of the resist (2)) $<$ (heating temperature). Thus the heating conditions of Norio cannot result in film forming resist pattern as set forth in amended claim 1. Applicants respectfully asserted that the present invention is not anticipated from Norio.

Applicant's Response to the rejection Under 35 U.S.C. § 103

Presently claims 10 and 11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Norio as applied to claims 1-9, 12, 13 and further in view of Wolf et al. in Silicon processing for the VLSI Era, Vol. 1: Process Technology, Lattice Press, 1986, pp. 365-8, and claims 14-18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Norio, as above, in view of Oiwa, JP. Publication No. 2001015479 A. Applicant respectfully submits that in light of the amendment to claim 1, as discussed above, the rejection of claims 10-11 and 14-18 is likewise overcome by nature of the claims' dependency.

Wherefore favorable reconsideration is respectfully requested.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.


If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

Response under 37 C.F.R. §1.111
Attorney Docket No. 030905
Serial No. 10/634,824

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "Michael J. Caridi", is written over the printed name.

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